

ZONING BOARD OF APPEALS
Mallory Town Hall
9 Route 39 North
Sherman, Connecticut 06784-0039

ZONING BOARD OF APPEALS MEETING MINUTES
OCTOBER 5, 2010

Chairman Baird called the meeting to order at 7:06 p.m. at Mallory Town Hall. Commissioners present: Chairman Dale Baird, Joseph Chiaramonte, William Jones, Lucy Pollack, Alternates Gary Smolen, Helen Bray, and Michele Battaglia, Clerk. Samantha Addonizio arrived at 7:30 p.m. There was no audience member recording or video taping the meeting.

Public Hearing

Case #609: Barbara Thompson & Leslie Thompson-Ehrhardt, 20 Shore Drive – requesting variance of Section 332.5 “Minimum Setback Requirements” to allow the placement of air conditioner units as shown on plans submitted and entitled “Existing Conditions prepared for Barbara Thompson dated November 21, 2008”.

Alternate Smolen was seated for this case. Alternate Bray recused herself. Mr. David Tinker was in attendance representing the applicants. Mr. Tinker explained that a year ago the ZBA denied a request for a variance for the air conditioner units. He has re-evaluated the placement and is requesting a variance for a new location. Given the nature of the property’s steep slopes, the house is non-conforming. He explained that the placement of the units meet the other setbacks (side and rear), but not the front. The units will be set 44’ from the side lot line, 31’ from the rear lot line, 35’ from the front lot line and within 10’ of the residence. A question was raised as to whether or not the units can be moved. Mr. Tinker explained that they are removable, but the units would be connected by copper pipe, and it would be difficult. Adjacent property owners, Theresa O’Brien (18 Terrace Drive) and Alice Getman (18 Shore Drive) stated that they did not have a problem with the placement of the air conditioners and supported the variance being granted.

Commissioner Baird moved to go into business session at 7:20 p.m.

Deliberations

Case #609: Barbara Thompson & Leslie Thompson-Ehrhardt: The Committee stated that this new location is much more reasonable and due to the topography of the land, this is the best location.

Commissioner Smolen motioned to grant the variance of Section 332.5 “Minimum Setback Requirements” to allow the placement of air conditioner units with a setback of 35’ from front lot line as shown on plans submitted and entitled “Existing Conditions prepared for Barbara Thompson dated November 21, 2008”. Commissioner Jones seconded the motion. All were in favor (5-0). Variance was approved. Commissioners Baird, Chiamonte, Pollack, Jones and Smolen all voted.

Additional Business

Commissioner Chiamonte motioned to accept the minutes of September 7, 2010. Commissioner Addonizio seconded. Motion carried unanimously (7-0).

Commissioner Smolen motioned for adjournment. Commissioner Chiamonte seconded the motion and all voted in favor. Meeting was adjourned at 8:00 p.m.